

Town Board Minutes

**Meeting
No. 22**

Regular Meeting

August 7, 1995

MEETINGS TO DATE 22
NO. OF REGULARS 15
NO. OF SPECIALS 7

LANCASTER, NEW YORK
AUGUST 7, 1995

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th day of August 1995 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCIL MEMBER
DONALD E. KWAK, COUNCIL MEMBER
PATRICK C. POKORSKI, COUNCIL MEMBER
THOMAS H. VAN NORTWICK, COUNCIL MEMBER
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
JOSEPH F. REINA, TOWN ATTORNEY
JEFFREY H. SIMME, ASSISTANT BUILDING INSPECTOR
JOHANNA M. COLEMAN, RECEIVER OF TAXES

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed Local Law No. 4 of the Year 1995 entitled "Residential Real Estate Development" and further designated as Chapter 34 of the Code of the said Town.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

ADDRESS

Colleen Gaske	27 Allen Street, Lancaster
Joseph Juszcak	600 Pleasant View Drive, Lancaster
Bernadette Casper	5121 William Street, Lancaster
Catherine Kunz Reimers	5085 William Street, Lancaster
Donald Symer	610 Columbia Avenue, Lancaster
David Moessinger	312 Ransom Road, Lancaster

OPPONENTS

ADDRESS

David A. Brody, Attorney Niagara Frontier Builder's Association	230 Brisbane Bldg., Buffalo
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Kathryn A. Szafranski,
Public Affairs Dir., Niagara
Frontier Builder's Assn.

90 Sylvan Pkwy, W. Amherst

Michael Giallanza

5653 Broadway, Lancaster

Joseph McIvor, VP, Niagara
Frontier Builder's Assn.

91 Eastwood Pkwy, Lancaster

COMMENTS & QUESTIONS

ADDRESS

NONE

ON MOTION BY COUNCIL MEMBER VAN NORTWICK, AND SECONDED BY COUNCIL MEMBER GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:20 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone petition of Paul Pautler for premises situate at 6360 Broadway from a RCO-Residential Commercial Office District to a CMS-Commercial and Motor Service District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning, and property owners of record within 200 feet of the proposed rezone site, notifying them of the time and place of this Public Hearing.

PROPOSERS

ADDRESS

Mark J. Peszko, Attorney
for petitioner

515 Brisbane Bldg. Buffalo

OPPOSERS

ADDRESS

Elaine Reimer

507 Ransom Road, Lancaster

Arlene Buszka

513 Ransom Road, Lancaster

David Barth

6350 Broadway, Lancaster

COMMENTS & QUESTIONS

ADDRESS

None

ON MOTION BY COUNCIL MEMBER VAN NORTWICK, AND SECONDED BY COUNCIL MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:55 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:55 P.M., the Town Board held a Public Hearing to hear all interested persons upon the initiative of the Town Board to amend the Zoning Map of the Town of Lancaster, by changing the zoning classification of premises known as 193-195 Cemetery Road, Town of Lancaster, New York (Parcel "A"), and 197-199 Cemetery Road, Town of Lancaster, New York (Parcel "B"), from a GB-General Business District to an AR-Agricultural Residential District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to Richard L. Church and Michael Passucci, owners of record of each parcel proposed to be rezoned, the attorney for Michael Passucci, six residents of Cemetery Road and the Erie County Division of Planning, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No Recommendation".

PROPOSERS	ADDRESS
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None	
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OPPOSERS	ADDRESS
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None	
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COMMENTS & QUESTIONS	ADDRESS
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None	
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ON MOTION BY COUNCIL MEMBER POKORSKI, AND SECONDED BY COUNCIL MEMBER GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:00 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board held on July 17, 1995 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI, TO WIT:

WHEREAS, the Supervisor has requested a transfer of funds within the Town Justice Department in order to allocate funds for the purchase of a safety ladder.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer within the 1995 Adopted General Fund Budget of the Town of Lancaster be and is hereby approved:

FUND APPROPRIATION:

	<u>Increase</u>	<u>Decrease</u>
01.1110.0210 Office Furniture and Equipment	315.52	
01.1110.0409 Rentals/Leases		200.00
01.1110.0410 Professional Services		115.52

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA , TO WIT:

WHEREAS, Martin and Karen Loecher, 27 Aurora Street, Lancaster, New York 14086 has applied for a Dumping Permit for property situated at 82 Stony Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that Martin and Karen Loecher, be and are hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 82 Stony Road, Lancaster, New York 14086, said dumping to be in strict conformance with the application of the petitioners as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. All fill must consist of clean hard fill. Demolition material is not acceptable.
2. Close monitoring of the site to prevent unauthorized dumping of non-permitted material.
3. No fill to be placed in or along the creek without approval from the Town Engineer and any other agency having jurisdiction.
4. Roads must be cleaned on a daily basis and more often if necessary.
5. The height of the fill must be limited to one foot above the center line of the road and no higher than the existing properties to the north and south.
6. Drainage through the site must be maintained during and after the filling operation. A drainage ditch shall be developed along the north property line. The ditch shall have a two feet (2') wide bottom with side slopes of 2H. to 1V. An even grade shall be maintained from the ditch in the Quail Run Subdivision to the road culvert on Stony Road.

and,

BE IT FURTHER

RESOLVED, THAT PURSUANT TO CHAPTER 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RPERMIT.DUM (P3-4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER VAN NORTWICK , TO WIT:

WHEREAS, persons issued building permits by the Town Board of the Town of Lancaster sometimes decide not to pursue construction of the structure authorized by the building permit, and

WHEREAS, the Town Board, heretofore, has authorized building permit fee refunds to such persons on an individual request and individual resolution basis, and

WHEREAS, the Town Board wished to confer upon the Town Clerk blanket authority to refund such building permit fees upon letter application to the Town Clerk and concurrence of the Building Inspector.

NOW, THEREFORE, BE IT

RESOLVED, that for the two (2) year period following the approval of a building permit by the Lancaster Town Board, the Town Clerk of the Town of Lancaster be and is hereby authorized to refund building permit fees for building permits issued but, never used by the permittee, and

BE IT FURTHER

RESOLVED, that each refund is contingent upon the concurrence of the Building Inspector of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RBLDGP.RF

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER POKORSKI , TO WIT:

WHEREAS, the State Education Department/Archives and Records Administration Division, by letter dated June 22, 1995, has informed the Supervisor of the Town of Lancaster that the Commissioner of Education is offering a grant from the Local Government Records Management Improvement Fund in the amount of \$19,500.00 to the Town of Lancaster, for a Geographic Information System (GIS) Needs Assessment Project, pursuant to a joint grant application filed by the Town of Lancaster with the Lancaster Central School District and the Village of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to accept from the Commissioner of Education of the State of New York a grant in the amount of \$19,500.00 for a joint Town of Lancaster, Lancaster Central School District, and Village of Lancaster, Geographic Information System (GIS) Needs Assessment Project, and

BE IT FURTHER

RESOLVED, that Robert P. Thill, Town Clerk and Records Management Officer of the Town of Lancaster, be and is hereby authorized to administer this joint project with authority granted herein to execute all necessary contracts and documents, in accordance with the rules and regulations as set forth by the State Education Department, and in accordance with the grant application previously filed with the State Education Department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER VAN NORTWICK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GIZA, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by memorandum dated July 21, 1995, has requested authorization to submit an application to the United States Department of Justice for 75% funding for additional positions of police patrolmen within the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and the Chief of Police of the Town of Lancaster be and are hereby authorized to execute a "Cops Universal Hiring Program Application" for submittal to the United States Department of Justice to hire additional police patrolmen for the Town of Lancaster under the provisions of the Cops Universal Hiring Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RGRANT

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, the Supervisor has requested a transfer of funds within the Control of Dogs Department in order to allocate funds for planned future expenses.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer within the 1995 Adopted General Fund Budget of the Town of Lancaster be and is hereby approved:

FUND APPROPRIATION:

	<u>Increase</u>	<u>Decrease</u>
01.3510.419 Kennel Expense	1,000.00	
01.3510.449 Other Classified		1,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, the Supervisor has requested a transfer of funds within the Central Fuel Storage Department in order to allocate funds for maintenance expenses.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer within the 1995 Adopted General Fund Budget of the Town of Lancaster be and is hereby approved:

FUND APPROPRIATION:

	<u>Increase</u>	<u>Decrease</u>
01.1645.426 Repairs and Maint.	10,000.00	
01.1645.411 Contribution to LCD		10,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

WHEREAS, NATIONAL FUEL GAS DISTRIBUTION CORPORATION has requested a
fifteen foot (15") right of way from the Town of Lancaster for the placement
of a 2-inch gas line commencing on Pavement Road and which will run easterly
and traverse certain town-owned property known as Westwood Park, and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is hereby
authorized to execute a right of way agreement between the Town of Lancaster,
as Grantor, to National Fuel Gas Distribution Corporation, as Grantee, for the
placement of a 2-inch gas line commencing on Pavement Road and which will run
easterly and traverse certain town-owned property known as Westwood Park.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

WHEREAS, by Agreement dated January 19, 1995, the Town's "Recyclables" contract with Browning-Ferris Industries of New York, Inc., (BFI) was renewed for the period June 1, 1995 through May 31, 1998, and

WHEREAS, as part of the renewal, the cost charged to the Town was reduced from \$10.00 per ton to \$5.00 per ton, and

WHEREAS, subsequent to said renewal BFI voluntarily waived any per ton costs to be paid by the town, based upon current commodity market conditions, and

WHEREAS, BFI has now offered to pay to the Town a sum of \$7.50 per ton on each ton of clean recyclables delivered to its facility, and

WHEREAS, the Town Board deems it in the public's interest to accept BFI's offer;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. The Supervisor is hereby authorized to execute, on behalf of the Town, a letter agreement by which BFI shall pay to the Town the sum of \$7.50 per ton on each ton of clean recyclables delivered to its facility.

2. Under the terms of said letter agreement, BFI retains the right to evaluate monthly the monies to be paid to the Town in coordination with the commodity market conditions.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RBFI.895

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO, WHO MOVED ITS ADOPTION,
SECONDED BY COUNCIL MEMBER VAN NORTWICK,
TO WIT:

WHEREAS, Section 103 General Municipal Law requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to bidding requirements of General Municipal Law Section 103, or any other law, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public's interest to enact such policy;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby adopt the following Procurement Policy and Procedures for said Town:

TOWN OF LANCASTER
PROCUREMENT POLICY

- A. Every procedure for purchase of goods or services shall be evaluated to determine the applicability of Section 103 of the General Municipal Law. Every town officer, board, department head or other personnel with the requisite purchasing authority (purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.
- B. All purchases of supplies or equipment which will exceed ten thousand dollars (\$10,000) in the fiscal year or public works contracts over twenty thousand dollars (\$20,000) shall be formally bid pursuant to Section 103 of the General Municipal Law.
- C. Quotes and proposals.
 - (1) All estimated purchases of:
 - (a) Less than ten thousand dollars (\$10,000) but greater than five thousand dollars (\$5,000) require a written request for a proposal (RFP) and written/fax quotes from three (3) vendors.
 - (b) Less than five thousand dollars (\$5,000) but greater than three thousand dollars (\$3,000) require an oral request for the goods and oral/fax quotes from (2) vendors.

- (c) Less than three thousand dollars (\$3,000) but greater than two hundred fifty dollars (\$250) are left to the discretion of the purchaser.
- (2) All estimated public works contracts of:
 - (a) Less than twenty thousand dollars (\$20,000) but greater than ten thousand dollars (\$10,000) require a written RFP and fax/proposals from three (3) contractors.
 - (b) Less than ten thousand dollars (\$10,000) but greater than five thousand dollars (\$5,000) require a written RFP and fax/proposals from two (2) contractors.
 - (c) Less than five thousand dollars (\$5,000) but greater than five hundred dollars (\$500) are left to the discretion of the purchaser.
- (3) Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from who written/fax/oral quotes have been requested and the written/fax/oral quotes offered.
- (4) Any information gathered in complying with the procedures of this policy shall be preserved and filed with documentation supporting the subsequent purchase of public works contracts.
- D. The lowest responsible proposal or quote shall be awarded the purchase of public works contracts, unless the purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the records supporting the procurement.
- E. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.
- F. Except where directed by the Town board, no solicitation of written proposals or quotations shall be required under the following circumstances:
 - (1) Goods purchased for less than two hundred fifty dollars (\$250).
 - (2) Public works contracts for less than five hundred dollars (\$500).
- G. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonable or practical.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RPROC POL.895

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER VAN NORTWICK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER POKORSKI , TO WIT:

WHEREAS, the Police Chief of the Town of Lancaster has requested the creation of the position of Police Officer, full-time, in the Police Department of the Town of Lancaster, and

WHEREAS, the Supervisor of the Town of Lancaster has previously filed with the Erie County Department of Personnel Form PO-17 "New Positions Duties Statement" for the purpose of obtaining the appropriate service title for the anticipated position of Police Officer, full time, in the Police Department of the Town of Lancaster, and

WHEREAS, the Erie County Department of Personnel has indicated that the appropriate title for this position is Police Officer, full time,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates the position of Police Officer, full time, in the Police Department of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and execute Section 8 of Form PO-17 (New Position Duties Statement) indicating that the position of Police Officer, full time, in the Police Department of the Town of Lancaster has been created.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RPERS.CRE (P1)

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED AUGUST 7, 1995, AUTHORIZING THE
CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN
BUILDINGS, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$175,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$175,000
SERIAL BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
construct improvements to various Town buildings, including
improvements to comply with the requirements of the Americans
with Disabilities Act, and installation of new counters, shelves
and cash drawer, and to purchase the original furnishings,
equipment, machinery and apparatus required in connection
therewith. The estimated maximum cost of said class of objects
or purposes, including preliminary costs and costs incidental
thereto and to the financing thereof, is \$175,000 and said amount
is hereby appropriated therefor. The plan of financing includes
the issuance of \$175,000 serial bonds of the Town to finance said
appropriation, and the levy and collection of taxes on all the

taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$175,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing buildings to be partially reconstructed are of at least Class "B" construction as defined by Section 11.00 a. 11.(b) of the Law, and the period of probable usefulness of said class of objects or purposes for which said \$175,000 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms,

form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster
shall, within ten (10) days after the adoption of this
resolution, cause to be published, in full, in the "LANCASTER
BEE," a newspaper published in Buffalo, New York, having a
general circulation within said Town and hereby designated the
official newspaper of the Town for such publication, and posted
on sign board of the Town maintained pursuant to the Town Law, a
Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on August 7, 1995, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted August 7, 1995, authorizing the construction of improvements to various Town buildings, stating the estimated maximum cost thereof is \$175,000, appropriating said amount therefor, and authorizing the issuance of \$175,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct improvements to various Town buildings, including improvements to comply with the requirements of the Americans with Disabilities Act, and installation of new counters, shelves and cash drawer, and to purchase the original furnishings, equipment, machinery and apparatus required in connection therewith; STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$175,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$175,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$175,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be fifteen (15) years; the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$175,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general

obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 7, 1995

Robert P. Thill
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, the Erie County Water Authority has recommended that various water mains located along Aurora Street, Glendale and Parkdale and Steinfeldt Road (Phase I) and Transit Road and Genesee Street (Phase II), all located within the Town of Lancaster be replaced and/or their capacities be enlarged, and

WHEREAS, the firm of Hayden/Wegman, Consulting Engineers, have submitted an engineering proposal to provide engineering services detailed in the proposal for said Water System Improvements under Phase I thereof, for the sum of \$158,680.00, and

WHEREAS, the Town Board deems it advisable to retain a consulting firm to oversee the said improvements and to advise the Town concerning the design and installation of said improvements;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. The firm of Hayden/Wegman, 455 Commerce Drive, Amherst, New York 14228 is retained to provide the engineering services detailed in its proposal dated July 18, 1995, for Phase I of said Water System Improvements for the sum of \$158,680.00.

2. A copy of said proposal dated July 18, 1995, shall be filed in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RWIRENGR.895

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA, TO WIT:

WHEREAS, the Director of Parks and Recreation, by letter dated August 1, 1995, has recommended a salary increase for Lisa Marie Frank, a tennis instructor employed in the summer program of the Parks and Recreation Department,

NOW, THEREFORE, BE IT

RESOLVED, that the salary of LISA MARIE FRANK, 47 Nichter Road, Lancaster, New York 14086, a tennis instructor employed in the summer program of the Parks and Recreation Department, be and is hereby increased from \$5.00 per hour to \$6.00 per hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RPERS.SUM (P4)

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

At a regular meeting of the Town
Board of the Town of Lancaster, in
the County of Erie, New York, held
at the Town Hall, in said Town, on
the 7th day of August, 1995.

PRESENT:

Hon. Lucian J. Greco, Supervisor
Robert H. Giza, Council Member
Donald E. Kwak, Council Member
Patrick C. Pokorski Council Member
Thomas C. Van Nortwick Council Member
Council
Council

In the Matter

of the

**Increase and Improvement of Facilities of the
Lancaster Consolidated Water District, in the
Town of Lancaster, in the County of Erie, New
York, pursuant to Section 202-b of the Town
Law.**

**ORDER CALLING PUBLIC
HEARING TO BE HELD ON**

AUGUST 21, 1995

**WHEREAS, the Town Board of the Town of Lancaster
(herein called "Town Board" and "Town", respectively), in the
County of Erie, New York, on behalf of the Lancaster Consolidated
Water District, in the Town (herein called "District"), has
requested Hayden-Wegman, Inc., competent engineers duly licensed
by the State of New York (referred to herein as the "Engineer"),
to prepare a preliminary map, plan and report for the increase
and improvement of facilities of the District, including (i)**

installation of approximately 2,900 linear feet of eight-inch PVC watermain along Aurora Street from Woodgate Drive to Running Brook Drive, including valves, hydrants, services and all appurtenances; (ii) installation of approximately 2,500 linear feet of eight-inch PVC watermain along Glendale Drive and Parkdale Drive off of Broadway, including valves, hydrants, services and all appurtenances; and (iii) installation of approximately 3,000 linear feet of eight-inch PVC watermain along Steinfeldt Road from Broadway to Erie Street, including valves, hydrants, services and all appurtenances, and at the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report, and has estimated the aggregate cost thereof to be \$830,000;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 21st day of August, 1995, at 8 o'clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in the "LANCASTER BEE", a newspaper hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: AUGUST 7, 1995

TOWN BOARD OF THE TOWN OF LANCASTER

/s/ LUCIAN J. GRECO

Supervisor

/s/ ROBERT H. GIZA

Council Member

/s/ DONALD E. KWAK

Council Member

/s/ PATRICK C. POKORSKI

Council Member

/s/ THOMAS H. VAN NORTWICK

Council Member

Council

Council

(SEAL)

Town Board of the Town of Lancaster, New York

The question of the adoption of the foregoing resolution
was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED AUGUST 7, 1995, AUTHORIZING THE ACQUISITION
AND INSTALLATION OF TRAFFIC SIGNALS AND RELATED
CONTROL EQUIPMENT, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$72,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$72,000
SERIAL BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
acquire and install traffic signals and related control equipment
at the intersection of Central Avenue, Countryview Way and Impala
Drive, in the Town. The estimated maximum cost of said specific
object or purpose, including preliminary costs and costs
incidental thereto and to the financing thereof, is \$72,000 and
said amount is hereby appropriated therefor. The plan of
financing includes the issuance of \$72,000 serial bonds of the
Town to finance said appropriation, and the levy and collection
of taxes on all the taxable real property in the Town to pay the
principal of said bonds and the interest thereon as the same
shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$72,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$72,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 72. (a) of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any

notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster
shall, within ten (10) days after the adoption of this
resolution, cause to be published, in full, in the "LANCASTER
BEE," a newspaper published in Buffalo, New York, having a
general circulation within said Town and hereby designated the
official newspaper of the Town for such publication, and posted
on sign board of the Town maintained pursuant to the Town Law, a
Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on August 7, 1995, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted August 7, 1995, authorizing the acquisition and installation of traffic signals and related control equipment, stating the estimated maximum cost thereof is \$72,000, appropriating said amount therefor, and authorizing the issuance of \$72,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to acquire and install traffic signals and related control equipment at the intersection of Central Avenue, Countryview Way and Impala Drive, in the Town; STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$72,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$72,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$72,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be twenty (20) years; the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$72,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 7, 1995

Robert P. Thill
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the construction of a pedestrian bridge at the end of Enchanted Forest South, interconnecting Enchanted Forest South within Southpoint Subdivision with Enchanted Forest South within Forestream Subdivision, and

WHEREAS, bids were received and opened on August 2, 1995, and

WHEREAS, the Town Engineer has reviewed the bids and, by letter dated August 2, 1995, has recommended that the lowest responsible bidder, in conformance with the specification, M. PASSUCCI INC., 4085 Walden Avenue, Lancaster, New York 14086, in the amount of \$27,500.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town board of the Town of Lancaster hereby awards the contract for the construction of the beforementioned pedestrian bridge at the end of Enchanted Forest South, to M. PASSUCCI, INC., 4086 Walden Avenue, Lancaster, New York 14086, being the lowest responsible bidder in conformance with the specifications on file in the Town Clerk's Office, in the amount of \$27,500.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File:RPEDBRDG.895

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA, TO WIT:

WHEREAS, PARK LANE DEVELOPMENT, has heretofore applied for approval of a subdivision known as PARKEDGE,, and

WHEREAS, the Town Board, by resolution dated May 1, 1995, approved the filing of a Map Cover for this subdivision, and

WHEREAS, the Map Cover was not timely filed in the Erie County Clerk's Office within the statutory sixty (60) day period;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby reapproves the subdivision known as PARKEDGE, as filed by Park Lane Development, and

2. That the Town Clerk of the Town of Lancaster be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has requested an amendment to the 1995 General Fund Budget to cover the cost of purchasing initial equipment for the new Redskins Junior Football and Cheerleading Program within the Parks, Recreation and Forestry Department. This new program will commence August 1, 1995. Funds to purchase the initial equipment is requested from the Trust & Agency Recreation Filing Fees.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendment to the 1995 Adopted Budget of the Town of Lancaster be and is hereby approved:

AMENDMENTS

INCREASE

A2190	Transfer from Trust & Agency Recreation Filing Fees	\$19,000.00
A7140.0250	Recreation Equipment	\$19,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, RJF Development, JV, 5653 Broadway, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster a for permit to construct a Public Improvement upon real property in the Town of Lancaster within Village on the Park Subdivision, Phase I, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 412 of RJF Development, J.V., 5653 Broadway, Lancaster, New York, for the installation of:

P.I.P. No. 412 - All wire, conduits, poles, lamps, lamp
(Street Lights) holders, photocells and other appurtenances
required in the installation of ten (10) street
lights at the Village on the Park Subdivision,
Phase I as per NYSEG layout and Town of Lancaster
specifications.

be and is hereby approved and the installation of the improvement requested be
and is hereby authorized.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RPIP (P9)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI, TO WIT:

WHEREAS, RJF Development, JV, 5653 Broadway, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster a for permit to construct a Public Improvement upon real property in the Town of Lancaster within Streamfield Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 413 of RJF Development, J.V., 5653 Broadway, Lancaster, New York, for the installation of:

P.I.P. No. 413 - All wire, conduits, poles, lamps, lamp holders, photocells and other appurtenances required in the installation of twelve (12) street lights at the Streamfield Subdivision as per NYSEG layout and Town of Lancaster specifications.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RPIP (P10)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 3316 to Claim No. 3679 Inclusive

Total amount hereby authorized to be paid: \$1,051,742.64

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA , TO WIT:

WHEREAS, DPC, INC, d/b/a LANCASTER SELF STORAGE, 6495 Transit Road, Bowmansville, New York 14026, has submitted a Site Plan dated November 13, 1987 and revised February 1, 1988, July 7, 1988, July 22, 1988 and July 12, 1995, for the construction of an Mini-Storage Facility on its premises located at 6495 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by memo dated August 2, 1995, has recommended approval, and

WHEREAS, the Town Engineer has reviewed this project with respect to SEQOR and by memo dated August 1, 1995, has advised the Board that this project is a Type II Action and no further SEQOR review is necessary;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan, as submitted by DPC INC, d/b/a Lancaster Self Storage and dated November 13, 1987, and revised February 1, 1988, July 7, 1988, July 22, 1988 and July 12, 1995, for the construction of an additional Mini-Storage Facility on its premises located on Transit Road in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: Rlanstor.895

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCIL
 MEMBER GIZA TO WIT:

RESOLVED, that the following Building Permit Applications be
 and are hereby approved and the issuance of these Building Permits be and are
 hereby authorized:

CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the
 Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
2793		Swimco Pools	19 Grafton Ct	Er. Fence/Pool
2794		Ted Block-Urban	288 Ransom Rd	Ext. Garage
2795		Mary Ann Schwagler	9 Pauline Ct	Er. Pool
2796		Quality Aluminum	91 Country Pl	Er. Shed
2797		Howard Gillison	20 Woodgate Dr	Er. Deck
2798		Sam Palame	17 Whitestone Ln	Er. Deck
2799		John Senott	9 Parkdale Dr	Ext. Sin. Dwlg
2800		Mary Suttell	5118 William St	Er. Pool
2801		John Bauman	88 Southpoint Dr	inst. Deck
2802		Kirk Sweet	435 Aurora St	Alt. Sin. Dwlg
2803		Randy Jack	18 Squirrel Run	Er. Fence
2804		Ed Konopka	41 Greenmeadow Dr	Er. Fence
2805		Joseph M. Borngraber	19 W Home Rd	Er. Fence
2806		Oakview Landscape	62 Southpoint Dr	Er. Deck
2807		Dennis Merritt	66 Impala Pkwy	Er. Shed
2808		Siltone Building Co	38 Michael's Wlk	Er. Sin. Dwlg
2809		Ryan Homes	92 Southpoint Dr	Er. Sin. Dwlg
2810		Majestic Pools	8 Hemlock Ln	Er. Fence/Pool
2811		Majestic Pools	73 Steinfeldt Rd	Er. Fence/Pool
2812		AllCraft Homes	52 Newberry Ln	ER. Sin. Dwlg
2813		Woodbridge Const	11 Quail Run Ln	Er. Sin. Dwlg
2814		Joyce Gregory	73 Steinfeldt Rd	ER. Fence
2815		Norman Page	9 Sagebrush Ln	Er. Pool
2816		Ralph Ball	571 Lake Ave	Er. Garage
2817		Kidd-Kott Const	11 Michael's Wlk	Er. Sin. Dwlg
2818		Joanne Deiboldt	21 Fieldstone Ln	ER. Deck
2819		Mark Slade	26 Hampton Ct	Er. Shed
2820		Scott Robinson	28 Hampton Ct	Er. Shed
2821		Ryan Homes	223 Enchanted Fst N	Er. Sin. Dwlg

2822	Peter Sywak	128 Seneca Pl	Er. Patio Encl
2823	Meyer & Meyer	6375 Genesee St	Dem. Sin. Dwlg
2824	M J Ogiony Bldrs	15 Winding Way	Er. Sin. Dwlg
2825	M J ogiony Bldrs	7 Michael's Wlk	Er. Sin. Dwlg
2826	John I. McClenathan	216 Enchanted Fst N	Er. Deck
2827	AllCraft Homes Inc	37 Michael's Wlk	Er. Sin. Dwlg
2828	Majestic Pools, Inc	2761 Wehrle Dr	Inst. Pool, Fence
2829	Frank J Kirst	18 Woodgate Dr	Er. Deck
2830	Sebastian J Caruana Jr	73 Heritage Dr	Er. Deck
2831	John & Denise Hanavan	10 Hemlock Ln	Er. Shed
2832	Scott Fulter	5230 Genesee St	Inst. Sliding Door
2833	Michael & Margaret Thill	443 Lake Ave	Er. Storage. Bldg
2834	Blake H Roggow	53 Southpoint Dr	Er. Deck
2835	Lori Jakubczak	27 Bentley Cir	Er. Sin. Dwlg
2836	Deana Perry	14 Robins Nest Ct	Er. Fence
2837	DiCom Develpoers	4711 Transit Rd	Er. Office. Bldg
2838	Lee Strock	5 Willow Ridge Ln	Er. Fence
2839	Majestic Pools	84 Old Post Rd	Er. Fence/Pool
2840	Robert Stoczynski	19 Grafton Ct	Er. Fence
2841	Bainbridge Crew	7 Old Schoolhouse	Er. Patio Room
2842	Linda Miller	6 Deepwood Pl	Rem. Sin. Dwlg
2843	CPI Photo Finish	4779 Transit Rd	Er. Temp. Sign
2844 SW	Raymond Zyga	5695 Broadway	Er. Apartment Bldg
2845	Marrano/Marc Equity	16 Riemers Ave	Er. Sin. Dwlg
2846	Marrano/Marc Equity	5 Westbury Ln	Er. Sin. Dwlg
2847	Marrano/Marc Equity	27 Riemers Ave <i>127 Belmont Ave. (RD)</i>	Er. Sin. Dwlg
2848	Parkhaven Bldrs	3 Michael's Wlk	Er. Sin. Dwlg
2849	Chris Swanson	60 Hess Pl	Er. Dormer
2850	Lancaster Stone Products	0 Barton Rd	Remove 2 Tanks
2851	stratford Homes	5 Michael's Wlk	Er. Sin. Dwlg
2852	Another Custom Home by Donato	13 Michael's Wlk	Er. Sin. Dwlg
2853	Pauly Construction	55 Simme Rd	Ex. Sin. Dwlg
2854	Thomas Rowan	84 Old Post Rd	Er. Deck/Gazebo
2855	Robert M. Miller	238 Warner Rd	Er. Shed

and,

BE IT FURTHER

RESOLVED, that the Building Permit applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires sidewalks in front of every new home.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

Councilman Van Nortwick requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER VAN NORTWICK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, Thomas E. Fowler, Police Chief of the Town of Lancaster, by memorandum dated July 20, 1995, has requested permission to participate in a curriculum sponsored by the International Outlaw Motorcycle Gang Investigators Association on September 24th and September 25, 1995, in Quebec City, Canada,

NOW, THEREFORE, BE IT

RESOLVED, that THOMAS E. FOWLER, Police Chief of the Town of Lancaster, be and is hereby authorized to participate in a curriculum sponsored by the International Outlaw Motorcycle Gang Investigators Association on September 24th and September 25, 1995, in Quebec City, Canada, and

BE IT FURTHER

RESOLVED, that the Police Chief of the Town of Lancaster be and is here by authorized the use of a Town vehicle for transportation, in addition to reimbursement for gas mileage expenses and meals, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RSEM.MTGS (P4)

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GIZA , TO WIT:

WHEREAS, the Town Board, by resolution dated May 1, 1995, approved and accepted Public Improvements numbered 372 (Pavement and Curbs) and 373 (Supplemental Pavement and Curbs) within Windsor Ridge Subdivision, Phase II, and

WHEREAS, said approval and acceptance was specifically conditioned upon the developer completing the top course of pavement under said P.I.P.'s before June 1, 1995, and to secure said performance by submitting a \$25,000.00 bond, and

WHEREAS, the developer completed the work to the satisfaction of the Town Engineer during the week of May 22, 1995, and

WHEREAS, no building permits have yet to be issued for any residential construction within Windsor Ridge, Phase II, and

WHEREAS, the specific condition set forth in said resolution, under the circumstances, is no longer relevant;

NOW, THEREFORE, BE IT

RESOLVED as follows:

1. The resolution of the Town Board, dated May 1, 1995, approving and accepting various public improvements within Windsor Ridge, Phase II including Public Improvements numbered 372 and 373, is hereby amended by deleting therefrom the following paragraph:

"4. That the developer execute an agreement with the Town of Lancaster obligating the developer to complete the top course of pavement under P.I.P. Nos. 372 and 373 before June 1, 1995 and secure said agreement with a \$25,000.00 performance security deposit with the Town Clerk."

2. All other terms of the resolution, dated May 1, 1995, are hereby ratified and affirmed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED NO
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: R.PIP.Win.Rdg.

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, FORESTREAM VILLAGE, INC., the developers of Forestream Village has received conditional approval from the Federal Emergency Management Agency (FEMA) to revise the Flood Plain as shown on Fema Flood Insurance Rate Map 360249 0010 B, dated December 1, 1981, which encompasses Forestream Village Subdivision, and

WHEREAS, said developer is now in the process of submitting as built studies and plans to FEMA, for final approval of said revisions, and

WHEREAS, as part of said submission, there must be included therewith proof of public notice of said proposed revisions;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to cause to be published in the official newspaper of the Town, a public notice to be drafted by the Town Attorney, setting forth notice of said proposed revisions of the Flood Plain encompassing Forestream Subdivision, said Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File: RFLDPLN.895

LEGAL NOTICE
TOWN OF LANCASTER

THE TOWN OF LANCASTER IS HEREBY PROVIDING PUBLIC NOTICE that the Flood Plain as shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 360249 0010 B, dated December 1, 1981, is being revised in accordance with completed engineering studies and plans previously approved by FEMA. Certain areas previously shown to be within the 100 Year Flood Plain will no longer be located in the 100 Year Flood Plain. The affected areas affected by this modification are those adjacent to the north and south branches of Slate Bottom Creek from Transit Road, to approximately 2,700 feet east of Transit Road (encompassing the Forestream Subdivision). A copy of this Notice is being submitted to FEMA, along with all necessary supporting as-built documentation.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LANCASTER.

By: ROBERT P. THILL
Town Clerk

August 7, 1995

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GRECO , TO WIT:

WHEREAS, JAMES DILAPO, JR. has submitted a site plan for approval by the Town Board of the Town of Lancaster, for a townhouse development within Forestream Village, and

WHEREAS, the Planning Board and Town Board have reviewed said site plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan for a townhouse development within Forestream Village, submitted by James DiLapo, Jr., subject to the following condition:

-- The petitioner must submit an application for a map revision to FEMA.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA , TO WIT:

WHEREAS, the Town of Lancaster received informal bids on July 17, 1995 for the installation of sidewalks on Via Donato East between house numbers 42 and 52, and

WHEREAS, the Town Engineer has reviewed the bids and, by letter dated July 20, 1995, has advised the Town Board that Cemulini-Pecoraro Construction Corp., 709 Pleasant View Drive, Lancaster, New York, is the lowest bidder in the amount of \$7,449.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the installation of sidewalks on Via Donato East between house numbers 42 and 52 to Cemulini-Pecoraro Construction Corp., 709 Pleasant View Drive, Lancaster, New York 14086, in the amount of \$7,449.00 said bid being the lowest bid in conformance with the specifications on file in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 7, 1995

File:RSDWKVDE.895

COMMUNICATIONSDISPOSITION

365. County Clerk's Office to Tax Receiver - Adoption of new guidelines re. senior tax exemption on county tax bills.	ASSESSOR
366. Lancaster Central School District Clerk to Tax Receiver - Adoption of resolution allowing partial pay- ment of school taxes.	R & F
367. State Education Dept. to Supervisor - Offer of LGRMIF grant to Town for technology project in amount of \$19,500.	R & F
368. County Health Dept. to Supervisor and Town Board - Approval of completed water works in Glen Hollow Phase 11A Subdivision.	TOWN ATTORNEY
369. NYSOPR&HP to Steven J. Doleski - Comments re. CORPS/DEC, Tops Market, 95PRO463.	PLANNING COMMITTEE
370. County Health Dept. to Burke Bros Construction - Approval of application - Hunters Creek North Subdivision. Ref. 9577.	TOWN CLERK PLANNING COMMITTEE TOWN ATTORNEY
371. David A. Izydorczak to Town Board - Seeks refund for building permit number 2753, applied for on July 3, 1995.	TOWN ATTORNEY BUILDING INSPECTOR
372. Eric & Dorothy Joseph to Town Clerk - Letter of appreciation for time and considera- tion re. Tops Market rezoning. Transmittal qual- ifications of Frank Scirenammano, Jr. PhD, PE.	PLANNING COMMITTEE
373. Nicholas J. Aquino, M.D. to Supervisor - Letter of support for Tops rezoning petition.	PLANNING COMMITTEE
374. Rebecca Miranda to Town Board - Letter of opposition for Tops rezoning petition.	PLANNING COMMITTEE
375. Elizabeth Bottomley to Town Board - Letter of support for Tops rezoning petition.	PLANNING COMMITTEE
376. The New York Store to Supervisor and Town Board - Letter of appreciation for efforts making the "Taste of Lancaster" a success.	R & F
377. County Division of Budget, Management and Finance to Tax Receiver - Final 1995 tax settlement with county.	R & F
378. Tax Receiver to Town Board - Final report of 1995 County/Town tax collection	R & F
379. Town Attorney to David & Ermalu Zurawski - Property in question will be retained by town.	R & F
380. Kyle Trudell to Town Clerk - Letter of opposition to Tops rezoning.	PLANNING COMMITTEE
381. Colleen Gaske to Town Board - Letter of opposition to Tops rezoning.	PLANNING COMMITTEE
382. Town Attorney to Legislator Dale Larson - Re: Cemetery Road access, grade separation over Erie Street.	R & F
383. Robert Knauber to Town Board - Letter urging approval of Tops rezoning.	PLANNING COMMITTEE
384. Michael J Giallanza to Town Board - Letter urging approval of Tops rezoning.	PLANNING COMMITTEE
385. Mrs. R. Krzanowicz to Supervisor - Letter urging approval of Tops rezoning.	PLANNING COMMITTEE

COMMUNICATIONS:DISPOSITION

386. Marie Boron to Town Board - Letter of opposition to Tops rezone.	<u>PLANNING COMMITTEE</u>
387. Residents of South Point Sub. to Town Board - Petition seeking stop signs within subdivision.	<u>PUBLIC SAFETY</u>
388. Lancaster Public Library Trustee to Dan Baccari - Sign for Lancaster Public Library.	<u>LIBRARY COMMITTEE</u>
389. Joyce & Michael Kotwicki to Supervisor - Letter of opposition to Tops rezone.	<u>PLANNING COMMITTEE</u>
390. Mrs. S. Kamp to Planning and Town Board Members and Supervisor - Letter of opposition to Tops rezone.	<u>PLANNING COMMITTEE</u>
391. Brian Fahey to Town Board - Letter of opposition to Tops rezone.	<u>PLANNING COMMITTEE</u>
392. Donald G. Symer to Town Board - Letter of opposition to Tops rezone.	<u>PLANNING COMMITTEE</u>
393. NYSDOT to Town Attorney - SEQR Review - Airtek Warehouse, south side of Walden, west of Pavement Rd.	<u>TOWN ATTORNEY</u> <u>PLANNING COMMITTEE</u>
394. Joyce & Richard Farrell to Town Board - Letter of opposition to Tops rezone.	<u>PLANNING COMMITTEE</u>
395. County DEP to Town Clerk and Building Inspector - SEQR and Zoning Referral Review - Draft Environmental Impact Statement - Tops Food Distribution Facility. #M617-95-46/ZR-95-236.	<u>PLANNING COMMITTEE</u>
396. Town Engineer to Town Board/Highway Ad Hoc Committee Information re: construction inspection.	<u>HIGHWAY COMMITTEE</u>
397. Town Engineer and Building Inspector to Town Board - Recommends issuance of Dumping Permit to Martin & Karen Loecher.	<u>R & F</u>
398. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney - Advisement of public hearing for meeting August 10, 1995.	<u>R & F</u>
399. Gary R. Geitter to Supervisor - Letter urging support of Tops rezone petition.	<u>PLANNING COMMITTEE</u>
400. George and Cheryl Danat to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
401. Seymour H. Knox, III to Supervisor - Letter urging support of Tops rezone petition.	<u>PLANNING COMMITTEE</u>
402. Anthony H. Gioia to Supervisor - Letter urging support to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
403. Donald and Annette Wojtowicz to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
404. Mike Tomazak to Town Clerk - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
405. Ervin and Shirley Burkhardt to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
406. David and Deborah Moessinger to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
407. Buffalo News articles re. business and tax breaks.	<u>R & F</u>
408. Ralph G. Mitzel to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>

COMMUNICATIONS:DISPOSITION:

409. Jack Manley to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
410. News article by Francis C. Martin, Bowmansville.	<u>PLANNING COMMITTEE</u>
411. Richard T. Stanley to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
412. Daniel Barczys to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
413. Gary Buser to Supervisor - Letter urging support to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
414. Donald Sipes to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
415. Gary Mong to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
416. John & Theresa Ordong to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
417. Walter W. Zakowski to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
418. Diane Nowatzki to Council Member Kwak - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
419. Joyce Zakowski to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
420. Cheryl Danat to Council Member Giza - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
421. The Peucozzi Family to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
422. CARE to Town Board Members - Transmittal DEIS Review Comments - Photos - DEIS Presentation Copies.	<u>PLANNING COMMITTEE</u>
423. Donald Feldmann to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
424. John Ordong to Town Clerk - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
425. Steve Naum to Recreation Director - Letter of appreciation for dedication to American Legion baseball program.	<u>R & F</u>
426. H.W. Hough to Town Clerk - Comments re. Tops rezone petition.	<u>PLANNING COMMITTEE</u>
427. Dick Vattimo to Supervisor - Letter urging support of Tops rezone petition.	<u>PLANNING COMMITTEE</u>
428. Robert Chisholm to Town Board - Letter urging support to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
429. George Malesic to Supervisor - Letter urging support to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
430. Jeffrey and Judith Winkle to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
431. Depew, Elma, Lancaster Chamber of Commerce to Supervisor - Editorial/Comment from Business First of Buffalo.	<u>PLANNING COMMITTEE</u>
432. Lancaster Village Board Minutes of November 8, 1993	<u>R & F</u>

COMMUNICATIONS:DISPOSITION

433. Helen Besch to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
434. Michael Mason to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
435. Mary Lou Suits to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
436. Michael Hegarty to Town Board - Letter urging support to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
437. Lucy Curley & Co. to Supervisor and Police Chief - Re: COPS Universal Hiring Program.	<u>R & F</u>
438. Linda Lee Burgess to Town Clerk - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
439. Albert E. Martin to Supervisor - Comments and suggestions - Tops rezone petition	<u>PLANNING COMMITTEE</u>
440. Director of Finance to Town Board - Summary of interest earnings on investments.	<u>R & F</u>
441. Nussbaumer & Clarke, Inc. to Town Attorney - Requests the Town to proceed with SEQR review process for Summerfield Subdivision.	<u>PLANNING COMMITTEE</u> <u>TOWN CLERK</u>
442. Town Assessor to Town Board - Transmittal of letter as application for reappointment.	<u>R & F</u>
443. NYSDOT to Town Attorney - SEQRA Review - Tops Distribution Center.	<u>PLANNING COMMITTEE</u>
444. Patricia N. Chiarolanza to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
445. Susan Maue to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
446. Opera House Director to Recreation Director - Re: scheduling painting and carpeting for summer of 1996.	<u>BUILDING COMMITTEE</u>
447. Bernadette Tomaselli to Mr. Arena - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
448. Donald C. Sipes to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
449. Russell E. Luke, III to Town Clerk - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
450. Sy Kolassa to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
451. Melvin, Elsie and Gail Braun to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
452. Clough, Harbour & Associates to Supervisor - Technical comments, DEIS Tops Distribution Facility, CHA Proj. No. 4913.07.00.	<u>PLANNING COMMITTEE</u>
453. F-E-S Associates to Town Board - Comments on Draft Environmental Impact State- ment, Proposed TOPS Food Distribution Facility.	<u>PLANNING COMMITTEE</u>
454. Michael J. O'Connor to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
455. Paul and Barbara Fuhrmann to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>

COMMUNICATIONS:DISPOSITION

456. Eric and Dorothy Joseph to Town Board - Final submission of opposition to Tops rezone petition.	PLANNING COMMITTEE
457. Dorothy Joseph to Town Clerk - Transmittal of comments on Tops DEIS and Exhibits A-I.	PLANNING COMMITTEE
458. Lawrence Komendat to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
459. Erie County Water Authority to Town Attorney - Acknowledgement and comments of DEIS for Tops Facility.	PLANNING COMMITTEE
460. Joyce and Richard Farrell to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
461. Landmark Society of the Niagara Frontier to Town Attorney - Concerns re. proposed Tops Distribution Facility.	PLANNING COMMITTEE
462. BFI Recycling Systems to Supervisor - Notification of rebate of \$7.50 per ton for clean recyclables delivered.	R & F
463. Erie Enterprises to Town Clerk - Letter of introduction for consideration in construction management for the Town.	R & F
464. John M. Zurbrick to Town Board - Letter of support for Tops rezone petition.	PLANNING COMMITTEE
465. Governor George Pataki to Supervisor - Letter of support for Tops rezone petition.	PLANNING COMMITTEE
466. Care for Lancaster to Supervisor - Notice of transmittal of final "Comments on the Tops DEIS" to Town Attorney and Town Clerk.	PLANNING COMMITTEE
467. Calvin A. Suess to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
468. George A. Bruschi, Jr. to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
469. Liza Klimeczko to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
470. Paul/Barbara Fuhrmann to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
471. Judy Schnobrich to Supervisor - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
472. Donald C. Sipes to Supervisor - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
473. Jean Choate Suess to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
474. Leona I. Federowicz to Supervisor - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
475. Ruth Phillips to Supervisor - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
476. Diane Savatteri to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
477. Charles M. Bonasera to Town Board - Letter of support for Tops rezone petition.	PLANNING COMMITTEE

COMMUNICATIONS:DISPOSITION

478. County Health Dept. to M.A. Tufillaro Builders - Transmittal of "Certificate of Approval of Realty Subdivision Plans for Queens Park Subdivision.	TOWN CLERK TOWN ATTORNEY
479. County Health Dept. to Town Board - Transmittal of Approval of Plans for public water supply improvement for Queens Park Subdivision.	TOWN CLERK TOWN ATTORNEY
480. County Health Dept. to Town Board - Transmittal of Approval of Completed Works for public water supply improvement for Village on the Park Subdivision.	TOWN ATTORNEY TOWN CLERK
481. ECDEP to Supervisor - Notice of modifications to SPDES Discharge Permit for ECSD NO. 4 Overflow Retention Facility.	TOWN ENGINEER
482. Town Clerk to Planning Board Chair. - Transmittal of rezone petition of Timon Electrical Construction.	TOWN ATTORNEY TOWN CLERK
483. Town Clerk to Building Inspector - Notice of suspension of issuance of building permits for Village on the Park Subdivision.	TOWN ATTORNEY TOWN CLERK
484. NYSEG Economic Development Dept. to Town Clerk - Community Impact Statement re: Tops rezone petition.	PLANNING COMMITTEE
485. Town Clerk to Town Board - Notification of contract expiring 11/95.	TOWN ATTORNEY
486. Marge Morningstar to Town Clerk - Transmittal of letters to Town Board members requesting they vote on Tops rezone petition.	PLANNING COMMITTEE
487. Tom Ciura to Building Inspector - Transmittal of survey depicting proposed yard building with request for assistance.	TOWN ATTORNEY
488. Jean M. Conklin to Town Board - Notice of resignation as Building/Zoning Clerk in Assessor's Department effective 8/4/95.	R & F
489. NYSEG to Town - Notification of receipt of application for new/ additional service at Pavment Rd. (Westwood Park).	PLANNING COMMITTEE TOWN ATTORNEY
490. Nancy C. Lesser-Adamo to Supervisor - Suggestions re: Tops project.	PLANNING COMMITTEE
491. Thomas E. Kunz to Town Board - Notice of resignation as Real Property Appraisal Technician in the Assessor's Office effective 8/18/95.	R & F
492. Mary Suits to Town Board - Letter of opposition to Tops rezone petition.	PLANNING COMMITTEE
493. Town Engineer to Town Board - Recommend pedestrian bridge bid award to M. Passucci Inc.	R & F
494. ECDEP to Town Attorney - Results of SEQR review re: 193-199 Cemetery Rd. proposed rezone.	R & F

COMMUNICATIONS:DISPOSITION

495. Police Chief to Supervisor - Request application to US Justice Department, COPS Universal Hiring Program for funding re: hiring of police officer.	<u>R & F</u>
496. Mary Beth Saba to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
497. Suzanne Jacobs to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
498. Blanche Kreuzer to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
499. Bill/Betty Hodge to Supervisor - Letter of support for Tops rezone petition.	<u>PLANNING COMMITTEE</u>
500. Jack Kaczmarek to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
501. Chuck Kirkman to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
502. Catherine Kunz Reimers to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
503. Lawley Service, Inc. to Joseph J. Naples Co - New endorsement of auto insurance policy and notification of credit due.	<u>R & F</u>
504. Mr/Mrs Charles H. Kirkman - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
505. ECDEP to Town Attorney - Results of SEQR review re: Airtex site plan.	<u>PLANNING COMMITTEE</u>
506. ECDEP to Supervisor - Advisement re: operational problems at Irquous Pump Station - Town District No. 2.	<u>TOWN ENGINEER</u>
507. US Dept. of HUD to Supervisor - Request comments re: disabled housing application for premises situate at 5844 Broadway.	<u>R & F</u>
508. US Dept. of HUD to Supervisor - Request comments re: disabled housing application for premises situate at 3650 Walden Ave.	<u>R & F</u>
509. Planning Board to Town Board - Recommend approval of Stony Brook South Town- houses preliminary plat.	<u>PLANNING COMMITTEE</u>
510. Planning Board to Town Board - Recommend approval of Forestream Village Town- houses revised site plan.	<u>R & F</u>
511. Planning Board to Town Board - Recommend approval of Lancaster Self Storage site plan.	<u>R & F</u>
512. Planning Board to Town Board - Minutes from meeting held 8/2/95.	<u>R & F</u>
513. Margaret Westerling to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
514. Receiver of Taxes to Town Board - Transmittal of Alden School District resolution re: acceptance of partial payments for taxes.	<u>R & F</u>
515. Suzanne Jacobs to Supervisor - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>

COMMUNICATIONS:DISPOSITION

516. C. David/Carolyn Gierke to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
517. Clough, Harbour & Associates to Supervisor - Proposal of services re: Tops FEIS Review.	<u>TOWN ATTORNEY</u>
518. Irene Kowalewski to Town Board - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
519. Joseph F. Coleman to Supervisor - Letter of support for Tops rezone petition.	<u>PLANNING COMMITTEE</u>
520. Eileen/Robert Daly to Supervisor - Letter of support for Tops rezone petition.	<u>PLANNING COMMITTEE</u>
521. Sam/Kandy Palermi to Councilman Pokorski - Letter of opposition to Tops rezone petition.	<u>PLANNING COMMITTEE</u>
522. Police Chief to Supervisor - Vacation notification.	<u>R & F</u>

PERSONS ADDRESSING TOWN BOARD:

Moringstar, Al, 5743 Genesee Street, spoke to the Town Board on the following matter:

Expressed opposition to Tops rezone project.

Dale, David, 5121 William Street, spoke to the Town Board on the following matter:

Requested a meeting with the Town Board to discuss concerns of area residents over Hunter's Creek North Subdivision.

Rubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matter:

Concerns about blasting at the Tops site.

Conditional rezone.

Extending the terms of P.I.P. maintenance bonds

Left turn arrows for traffic proceeding north on Harris Hill Road.

Jaszka, Dan, 29 Hidden Trail, spoke to the Town Board on the following matter:

Expressed support of the Tops rezone project.

Joseph, Dorothy, 5962 Genesee Street, spoke to the Town Board on the following matter:

Asked if the Town Board had hired Clough Harbour to review the FEIS on Tops rezone project.

Moessinger, Debbie, 1312 Ransom Road, spoke to the Town Board on the following matter:

Expressed opposition to Tops rezone project.

Pericozzi, Beth, 14 Stonybrook Drive, spoke to the Town Board on the following matter:

Dumping of stone on Pleasant View Drive near Stonybrook Drive.

Reduction in the speed limit on Pleasant View Drive.

Jemison, Peter, P.O. Box 239, Victor, New York 14564 spoke to the Town Board on the following matter:

Representing the Seneca Nation of Indians, urged the Town Board to preserve the artifacts at the proposed Tops Distribution site on Genesee Street.

Baehre, David, 5755 Genesee Street, spoke to the Town Board on the following matter:

Expressed concern about blasting on the Tops site if the project is allowed to proceed.

Juszcak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

Wanted developers of Forestream and Southpoint Subdivisions to pay for a foot bridge interconnecting these two subdivisions, not taxpayers.

Karpowicz, Gene, 177 Stony Road, spoke to the Town Board on the following matter:

Requested weight limit signs on Stony Road.

Palmieri, Kandy, 5815 Genesee Street, spoke to the Town Board on the following matter:

Expressed opposition to Tops rezone project.

ADJOURNMENT:

ON MOTION OF COUNCILMAN KWAK, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:10 P.M.

Signed Robert P. Thill

Robert P. Thill, Town Clerk